

Appl. No. : 09/574,736
Filed : May 18, 2000

REMARKS

In response to the Office Action, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Discussion of Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 1, 2, 5, 7, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,675,300, to Jung, et al. (hereinafter "Jung") in view of U.S. Patent No. 6,396,438, to Seal (hereinafter "Seal") and further in view of U.S. Patent No. 6,392,534 to Flick (hereinafter "Flick"). Claims 8, 9, 13, 12, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung in view of Flick.

In one embodiment of Applicant's invention, a hand-held controller may be provided that includes three assigned buttons that are associated with certain user-defined application programs. Upon selection of the first of the assigned buttons, a receiver in the computer may be powered on and launch a first user-defined application program. Upon selection of a second of the assigned buttons, the computer may be powered on and launch a second user-defined application program. Upon selection of the third of the assigned buttons, the computer may be powered on without launching a user-defined application program. Furthermore, in one embodiment, the receiver may comprise a printed circuit board that is configured to connect with an expansion slot of the computer. The receiver may comprise a battery for powering the receiver.

Applicant respectfully submits that the prior art fails to teach or suggest, as is recited in independent Claim 17, as amended: "a wireless receiver that comprises a printed circuit board that is configured to connect with an expansion slot of the computer, and wherein the wireless receiver comprises a battery for powering the wireless receiver." Applicant notes that similar limitations are recited in independent Claims 1, 5, 8, 11, and 14.

To establish a *prima facie* case of obviousness certain tests must be met. First, the prior art reference must teach or suggest all the claim limitations. Second, there must be some suggestion or motivation, either in the references or in the knowledge generally available among those of ordinary skill in the art, to modify the references. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

Appl. No. : 09/574,736
Filed : May 18, 2000

Applicant respectfully submits that the cited references in isolation and in combination fail to teach or suggest at least the above-limitation Jung describes a remote control receiver 400 that is mounted in a computer system. See Jung, col. 7, lines 1-6. In Jung, the remote control receiver 100 is coupled to a general purpose input output (GPIO) 252 of the computer system 200 and a keyboard controller 266 of a super input/output (super I/O) 265. See col. 7 lines 3-6. Furthermore, from a visual inspection of Figure 5, it is seen that the receiver 400 shares the same power supply from the system power management 251 as the computer. Thus, Applicant respectfully submits that Jung fails to teach or suggest "wherein the wireless receiver comprises a battery for powering the wireless receiver." Furthermore, Jung fails to teach or suggest "a wireless receiver that comprises a printed circuit board that is configured to connect with an expansion slot of the computer."

Furthermore, Applicant respectfully submits that these limitations are not taught or suggested by Seal or Flick. Seal was relied upon in the Office Action for the fact that transmission of control signals in the range greater than 100 feet was known in the prior art. Flick was relied upon in the Office Action for the fact the use of key rings to a remote had been described in certain context.

Furthermore, Applicant respectfully submits that in contrast to Flick, the remote control recited in the above-claims is directed to controlling a computer system having varying user-selected application programs. Applicant respectfully submits that the Examiner has failed to identify any particular motivation for including this feature on a remote control for a computer system. In Flick, the remote control is used to control a vehicle.

Applicant respectfully submits that since the cited references do not teach or suggest in isolation or in combination at least the above limitations and there is no motivation for their combination, these claims are in condition for allowance. Furthermore, since Claims 2, 6, 7, 9, 12, 13, and 16 each depend on at least one of Claims 1, 5, 8, 11, and 14, Applicant respectfully submits that the claims are allowable for at least the reasons discussed above.

Summary

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims for patentability purposes, the reasons therefore, and arguments in support of the patentability of the pending claim set are

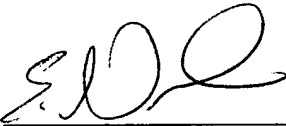
Appl. No. : 09/574,736
Filed : May 18, 2000

presented above. Any claim amendments which are not specifically discussed in the above remarks are not made for patentability purposes, and the claims would satisfy the statutory requirements for patentability without the entry of such amendments. In addition, such amendments do not narrow the scope of the claims. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/10/2009

By: 
Eric M. Nelson
Registration No. 43,829
Attorney of Record
Customer No. 20,995
(619) 235-8550

S:\DOCS\EMN\EMN-4760.DOC
061004